

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

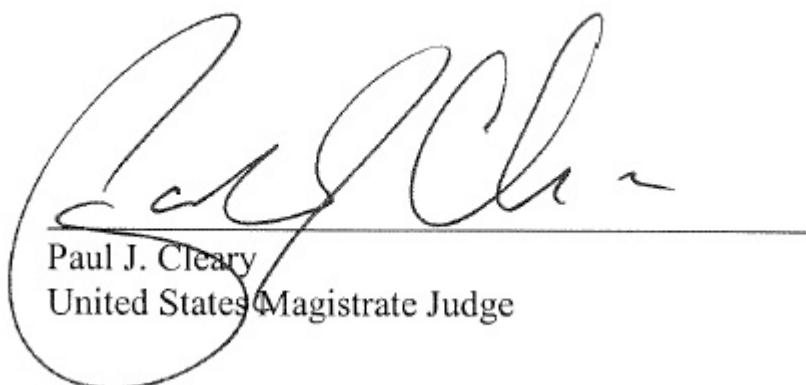
WILKER GENE BOYLES,)
)
)
Plaintiff,)
)
v.) **Case No. 14-CV-532-PJC**
)
)
CAROLYN W. COLVIN,)
Acting Commissioner of the
Social Security Administration,)
)
Defendant.)

OPINION AND ORDER

On July 30, 2015, this Court reversed the decision of the Commissioner and remanded this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). (Dkt. #20 and #21). Plaintiff filed an Application for Award of Attorney Fees (Dkt. #25) requesting an award of fees in the amount of \$5,605.40 for 20.0 hours of attorney time and 18.4 hours of paralegal time pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. The Commissioner filed a response to Plaintiff’s Application for fees on October 7, 2015. (Dkt. #26). The Commissioner does not contest an award of fees in the amount sought by Plaintiff. The Court has reviewed the pleadings and finds that Plaintiff, Wilker Gene Boyles, is the prevailing party and the fees sought are reasonable.

THEREFORE IT IS ORDERED that Plaintiff be awarded EAJA attorney fees in the amount of \$5,605.40, in care of his counsel. If attorney fees are also awarded under 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff’s counsel shall refund the smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

DATED this 27th day of October 2015.



A handwritten signature in black ink, appearing to read "Paul J. Cleary", is written over a horizontal line. Below the signature, the name "Paul J. Cleary" is printed in a standard font, followed by "United States Magistrate Judge".

Paul J. Cleary
United States Magistrate Judge